

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 158 of 2018

IN THE MATTER OF:

Guruprakash Hotels **...Appellant**

Vs.

Mr. R. Venkatakrishnan **...Respondent**

Company Appeal (AT) (Insolvency) No. 159 of 2018

IN THE MATTER OF:

Geethanjali Conventional Centre (P) Ltd. **...Appellant**

Vs.

**Mr. R. Venkatakrishnan (Resolution Professional),
BKR Hotels Pvt. Ltd.** **...Respondent**

**Present: For Appellant: - Mr. K.S. Mahadevan and Ms. Swati
Bansal, Advocates**

For Respondent:- None.

O R D E R

10.05.2018-

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A letter has been forwarded by Mr. R. Venkatakrishnan, FCA DISA (ICAI)- 'Resolution Professional', whereby it is intimated that Mr. D.R. Balakrishna Raja, Director and Shareholder of 'BKR Hotels and Resorts

Contd/-.....

P Ltd', approached the Hon'ble Supreme Court of India by filing a Civil Appeal No. 1616/2018, which was admitted on 6th February, 2018 and by an order dated 23rd March, 2018, the Hon'ble Supreme Court set aside the orders of this Appellate Tribunal as also the order passed by the Adjudicating Authority (National Company Law Tribunal), Chennai and remanded the matter to the Adjudicating Authority for a *de novo* consideration after issuing limited notice to the 'Corporate Debtor'. The order has also been enclosed by the Appellant at Page No. 101.

2. Learned counsel for the Appellant submits that the present appeal has been filed to allow the Appellant to file a *de novo* application but the question of granting any permission does not arise in view of the order passed by the Hon'ble Supreme Court directing the Adjudicating Authority for *de novo* consideration after issuing limited notice to the 'Corporate Debtor'. In view of such direction, the Adjudicating Authority will issue limited notice to the 'Corporate Debtor' on the application already filed and after notice, pass appropriate order.

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3. So far as the connected Company Appeal (AT) (Insolvency) No. 159 of 2018 is concerned, this also relates to BKR Hotels and Resorts (P) Ltd and covered by the decision of the Hon'ble Supreme Court of India in Civil Appeal No. 1616/2018.

Both the appeals stand disposed of with aforesaid observations.

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice Bansi Lal Bhat)
Member(Judicial)

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